

REMARKS

The Final Office Action of October 31, 2005 has been received and its contents carefully analyzed. Claims 1-6 and 41-44 remain pending in the application, of which claims 1 and 41 are independent claims.

Applicants appreciate withdrawal of rejections of claims 34-40 as set forth in the Office Action mailed April 26, 2005 in light of cancellation of claims 34-40. Applicants further appreciate withdrawal of the rejection of claim 41 under 35 U.S.C. §112, ¶2, as set forth in the April 26, 2005 Office Action in view of Applicants' August 23, 2005 amendment.

Consideration of the Remarks is therefore respectfully requested. Accordingly, Applicants request reconsideration and timely withdrawal of the pending rejections for the reasons discussed below.

Rejections Under 35 U.S.C. § 102

Claims 1, 3, 41, and 43 stand rejected under 35 U.S.C. § 102(e) as being allegedly anticipated by U. S. Patent No. 6,013,383 issued to Shi, *et al.* ("Shi"). Applicants respectfully traverse this rejection for at least the following reasons.

In order for a rejection under 35 U.S.C. §102 to be proper, a single reference must disclose each and every claimed feature. To be patentable, a claim need only recite a single novel features that is not disclosed in the cited reference. Thus, the failure of a cited reference to disclose one or more claimed features renders the 35 U.S.C. §102 rejection improper.

Shi fail to teach each and every claimed feature of independent claims 1 and 41, more particularly, the chemical formula C1 is different than the formulae (VI) and (VII) in column 6. In particular, Shi teaches a compound comprising five benzene rings, where the central portion enclosed by the other four benzene rings is a benzene ring itself, as identified by the Examiner.

On the other hand, the structure of the compound C1 comprises only four benzene rings connected to each other, where the central portion enclosed by the other four benzene rings is not a benzene ring. A compound comprising four benzene rings is significantly chemically different from a compound comprising five benzene rings because of their different molecular structures (for example, naphthalene of two benzene rings versus anthracene of three benzene rings). This is also evident in evaluating how the molecules of formulae C1, C2, and C3 in the present invention are different from each other (See Applicants' specification on pages 4-9). Also, because a compound comprising four benzene rings and a compound comprising five benzene rings have a different conjugation between benzenes in the molecular structure, the compounds have different light-emitting properties. These facts are obvious to one of ordinary skill in the art.

Accordingly, Applicants respectfully request withdrawal of the 35 U.S.C. § 102(e) rejection of claims 1, 3, 41, and 43. Since none of the other prior art of record discloses or suggests all the features of the claimed invention, Applicants respectfully submit that independent claims 1 and 41, and all the claims that depend therefrom, claims 3 and 43, are allowable.

Rejections Under 35 U.S.C. § 103

In order to render a claim obvious, the combination of cited references must teach each and every element of the claimed invention and must provide teaching, motivation, or suggestion to combine. Nat'l Steel Car, Ltd. v. Canadian Pac. Rwy., 357 F.3d 1319, 1337 (Fed. Cir. 2004) (citing Ecolchem, Inc. v. S. Cal. Edison Co., 227 F.3d 1361, 1371 (Fed. Cir. 2000)). This motivation must be based on the knowledge in the art, not knowledge provided by the application under examination, because such hindsight reconstruction is forbidden. In re Fine, 837 F.2d 1071, 1075 (Fed. Cir. 1988).

Shi, et. al. (U.S. Patent No. 6,013,383)

Claims 2, 4-6, 42, and 44 stand rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over U. S. Patent No. 6,013,383 issued to Shi, *et al.* ("Shi"). Applicants respectfully traverse this rejection for at least the following reasons.

As noted above, Shi fails to teach or suggest each and every claimed feature of independent claims 1 and 41. Claims 2, 4-6, 42, and 44 depend from independent claims 1 and 41 and are patentable for at least the reasons discussed above.

Accordingly, Applicants respectfully request withdrawal of the 35 U.S.C. § 103(a) rejection of claims 2, 4-6, 42, and 44. Since the none of the other prior art of record, whether taken alone or in any combination, discloses or suggests all the features of the claimed invention, Applicants respectfully submit that claims 2, 4-6, 42, and 44 are allowable.

Toshio, et. al. (Japanese Patent No. 9-268284)

Claims 1-6 and 41-44 stand rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Japanese Patent No. 9-268284, issued to Toshio, *et. al.* ("Toshio"). Applicants respectfully traverse this rejection for at least the following reasons.

The Examiner states that Toshio does not explicitly disclose the compound of the present formula C1 (See Final Office Action, on page 5). The backbone structure of Toshio is different than the compound of the present formula C1 because the benzene rings of Toshio are not connected directly to each other. Accordingly, the compound taught in Toshio is different than the compound of the present formula C1.

Further, the examiner alleges it would have been obvious to "make" compounds other than the compounds specified in Toshio with the expectation that such made compounds would have properties similar to the properties of the compounds disclosed in Toshio and would be

Toshio and would be equally suitable for the purposes of the prior art. The Examiner fails to provide a motivation or teaching in Toshio upon which one of ordinary skill in the art would have relied to form the compound of the present invention of formula C1. The fact that a made compound has suitable light emitting, hole transporting and electron transporting properties suitable for use in an organic electroluminescence device does not mean that such a made compound would function in Applicants' electroluminescent device and/or have the same chemical structure, nor would it have been obvious from the teachings of Toshio to form the same chemical structure, as presently recited in Applicants' claimed invention with the formula C1.

Accordingly, Applicants respectfully request withdrawal of the 35 U.S.C. § 103(a) rejection of claims 1-6 and 41-44. Since none of the other prior art of record, whether taken alone or in any combination, discloses or suggests all the features of the claimed invention, Applicants respectfully submit that independent claims 1 and 41 and claims 2-6 and 42-44 that depend therefrom are allowable.

CONCLUSIONS

Applicants believe that a full and complete response has been made to the pending Office Action and respectfully submits that all of the stated objections and grounds for rejection have been overcome or rendered moot. Accordingly, Applicants respectfully submit that all pending claims are allowable and that the application is in condition for allowance.

Should the Examiner feel that there are any issues outstanding after consideration of this response, the Examiner is invited to contact the Applicants' undersigned representative at the number below to expedite prosecution.

Prompt and favorable consideration of this Reply is respectfully requested.

Respectfully submitted,

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